

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARC BAIN RASELLA, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

v.

ELON R. MUSK,

Defendant.

Case No. 1:22-cv-03026-ALC

NOTICE OF NON-OPPOSITION OF PARTHA PRATIM PALIT
TO COMPETING MOTIONS FOR APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF LEAD COUNSEL

TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

On June 13, 2022, Partha Pratim Palit (“Palit”), by and through his counsel, filed a motion, pursuant to Section 21D(a)(3) of the Securities Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), for an Order: (1) appointing Palit as Lead Plaintiff on behalf of all investors who sold or otherwise disposed of Twitter, Inc. securities between March 24, 2022 and April 1, 2022, inclusive (the “Class”); and (2) approving proposed Lead Plaintiff’s selection of Pomerantz LLP as Lead Counsel for the Class. Dkt. No. 12.

Having reviewed the competing motions before the Court, it appears that Palit does not have the “largest financial interest” in this litigation within the meaning of the PSLRA. This notice of non-opposition shall have no impact on Palit’s membership in the proposed Class or his right to share in any recovery obtained for the benefit of Class members.

Dated: June 24, 2022

Respectfully submitted,

POMERANTZ LLP

/s/ Jeremy A. Lieberman

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